

This week in the Legislature

An update from State Senator Robert Garton



INDIANAPOLIS – Jan. 21-25 could be called the "Week of the Child" in the Indiana Senate, as bills aimed at protecting children from becoming the prey of unscrupulous adults were approved by Senate committees and the full Senate.

Senate Bill 12 provides law enforcement officials with more tools to fight Internet child pornography. Passed Jan. 24 by the Senate, the bill specifies that the laws concerning child exploitation and child pornography apply to computer images.

Also under the measure, a person who makes available to someone else a computer containing child pornography commits the crime of child exploitation. The bill increases the penalty for child exploitation from a Class D felony to a Class C felony, punishable by imprisonment for up to eight years and a fine of up to \$10,000.

A similar bill was passed last year by the Senate, but failed in the House of Representatives.

Awaiting a vote by the full Senate is a measure to enable information on a missing child to be disseminated more quickly to the public during the crucial first few hours after a child has been abducted.

The Amber Alert program allows the Missing Child Clearinghouse to work with local radio and television stations to quickly broadcast a description of an abducted child and other information to assist the public in helping to locate the child. According to experts, the chances of finding an abducted child alive diminish with time after the abduction occurs.



A recent increase in reports of high school teachers becoming involved in sexual relationships with students entrusted to their care prompted Senate Bill 207 to be introduced. The proposal expands the law concerning the suspension or termination of teachers who take advantage of their students and states the conditions under which a teacher's license may be suspended or a teacher may be suspended from work without pay.

Further, the bill adds to the list of acts which constitute seduction of a child at least 16 years of age and requires a person who believes a child is the victim of a sex crime to report the information to authorities. S.B. 207 was approved Jan. 23 by the Senate Corrections, Criminal & Civil Procedures Committee.

Several related measures received Senate committee endorsements during the week and now are eligible for action by the full Senate.

Senate Bill 367 expands "Zachary's Law" to require the Indiana sex and violent offender registry to publish the addresses and recent photographs of sex offenders. The measure also requires local law enforcement agencies to ask the area news media to publish or broadcast sex offenders' photos.



Senate Bill 246 addresses the danger of child sex offenders gaining access to children in child care facilities. Under the bill, an application for a child care provider license will be denied if the criminal history check reveals that the applicant or an employee, volunteer or member of a household in which a child care facility is located has been convicted of an offense related to the health or safety of a child. Similarly, a child care facility would not be eligible for federal voucher payments if such a conviction appeared on a criminal history check.

Lastly, Senate Bill 482 is designed to help safeguard children from sexual predators on the Internet. As interpreted by the courts, current Indiana law requires a child, not an undercover police officer, to actually be the recipient of an Internet solicitation for sex. The bill amends the law to allow for a conviction if a law enforcement officer poses as a child during Internet exchanges with a child sex predator.